

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

No. C 14-1839 MEJ (PR)

SANTIAGO JIMMY CRUZ,
Petitioner,

v.

CHERYL K. PLILER,
Respondent.

ORDER OF TRANSFER

Petitioner, proceeding *pro se*, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner seeks habeas relief from his underlying criminal sentence from the Superior Court of Yolo County, which lies in the Eastern District of California. Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction or sentence are preferably heard in the district of conviction. *See* Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Here, the Eastern District of California is the district of conviction. Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1404(a). The Clerk shall transfer the entire file to the Eastern District of California.

IT IS SO ORDERED.

DATED: May 28, 2014



Maria Elena James
United States Magistrate Judge